

Minutes  
**Labor-Management Advisory Council on  
Workers' Compensation**

March 23, 2007

1:30-2:30 pm

**Advisory council members present:** Lt. Governor John Bohlinger, Jason Miller, Bill Dahlgren, Jacquie Helt, Doug Buman, Annette Hoffman, Dan Lee, Riley Johnson, Connie Welsh, Jerry Keck

**Advisory council members excused:** Bob Worthington, Don Judge.

- I. Approval of Agenda and Meeting Minutes  
The minutes for the March 16<sup>th</sup> conference call and today's agenda were approved.
- II. Status of Workers' Compensation Bills  
It was decided to have Jerry Keck review the current status of active workers' compensation bills before discussing Advisory Council options.
  - HB 65, Revise uninsured employer's subsequent injury fund – Transmitted to the Governor; already acted on.
  - HB 72, Revise professional employer organization law – Signed by the Governor.
  - HB 738, Revise work comp law for claim closure and medical services rates – Scheduled for committee on March 27; no action taken.
  - HB 785, Exempting certain athletes from workers' compensation – Heard in committee this morning; no action taken.
  - HB 786, Exempt from work comp law certain motor carriers – scheduled in committee on March 27; no action taken.
  - SB 97, Clarify handling of highway patrol work comp claims – Signed by the Governor.
  - SB 108 – Revise work comp laws-ind. contractors-med. fees-impaired insurers-etc. – Being transmitted to the Governor, already acted on.
  - SB 214, Independent contractor exemption for certain corporate officers – Passed out of committee with amendment; already acted on.
  - SB 426, Revise attorney fees for medical benefits in work comp cases – Heard in committee on 3/21, committee executive action pending; no action taken by Advisory Council
  - SB 444, Revise APRN treating of injured workers – Not scheduled in committee; already acted on.
  - HB 679, Revise leave law for newly hired public employees – Although not a workers' compensation bill per se, language in the bill changes the Workers' Compensation Act; Jerry is tracking the bill and will attend the hearing on it today in the Senate State Administration Committee.

Jerry reviewed with the council a list of action options developed by the staff which included “no position,” “approve, with reservations” and “veto” in addition to “approved.” In addition, the council members looked at a draft position statement that expressed the council's concerns about bills that exempt certain groups of individuals from coverage by the Workers' Compensation Act.

Jason Miller moved and Riley Johnson seconded that the Advisory Council approve with reservations HB 785 and HB 786. The motion passed unanimously. The draft language will be revised to indicate “approve, with reservations” while continuing to express the council’s concerns about exemptions.

- V.     Agenda Items for Advisory Council Meeting in May  
The next onsite meeting is scheduled for afternoon of May 15, following the NCCI State Advisory Forum. The council agreed not to add additional items to the agenda.
  - Summary of insurer financial results by Mari Kindberg of the State Auditor’s Office
  - Summary of legislative action
  - Safety/incident rate modeling
  - Workers’ compensation exemptions and cost shifting
  - Regulation/oversight of claims examiners
- VI.    Public Comment  
Jeannine Brown addressed the council.
- VII.   Next Steps  
Next conference call: Friday, March 30, 1:30 – 3:00 pm.  
Next Advisory Council meeting (onsite) – Tuesday, May 15, 1:30 pm

For the complete discussions, download or listen online to the meeting recording at <http://erd.dli.mt.gov/wcstudyproject/labormngmntadvisorycouncilmeetinginfo.asp>